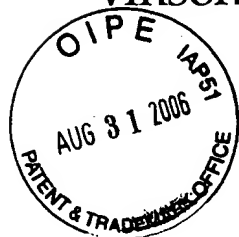


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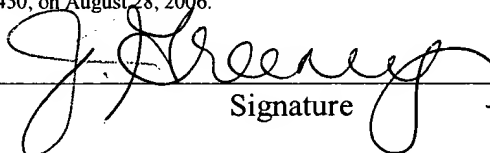
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Re: Patent Application Serial No. 09/734,988  
Title: "Electronic Payment System Utilizing Intermediary Account"  
Our Reference: PRE556/4-002DIVUS

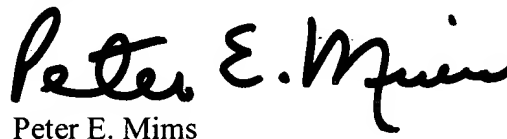
Dear Sir or Madam:

Enclosed for filing in the Patent and Trademark Office is the *Amended Brief on Appeal* pertaining to the above referenced patent application.

Please acknowledge receipt of the enclosed documents by date stamping the enclosed postcard and returning it to this office.

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Very truly yours,

  
Peter E. Mims

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**I. REAL PARTY IN INTEREST**

The real party in interest in this application and appeal is PreCash, Inc., 1800 West Loop South, Suite 1400, Houston, TX 77027, the Assignee of the above-identified application.

## **II. RELATED APPEALS AND INTERFERENCES**

Neither the Assignee nor the Assignee's legal representatives know of any other appeal or interference which will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal.

### **III. STATUS OF CLAIMS**

Claims 35-49 and 51-65 are the claims on appeal and are set forth fully in the Claims Appendix to this brief. A final rejection of claims 35-65 was mailed on October 4, 2005.

#### **IV. STATUS OF AMENDMENTS**

An amendment was filed subsequent to the final rejection of October 4, 2005 to amend the claims of this application. This amendment was filed to address objections and rejections made by the Examiner in the office action mailed on October 4, 2005 and included a request to cancel claim 50. This amendment was entered by the Examiner in the advisory action dated April 20, 2006, leaving claims 35-49 and 51-65 pending in this appeal. However, the Examiner denied the request for reconsideration arguing that the amendment did not place the application in condition for allowance in light of previous rejections made in the final rejection of October 4, 2005.

## V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention provides a centralized payment system capable of interfacing with merchant point of sale locations where payments are received from end-users or their agents. The present invention leverages the existing financial network that is used around the world for credit card transactions, but utilizes the existing system in a novel and unique manner such that payments are received, rather than credit extended, at the merchant point of sale. Interfacing to the existing world wide network in this manner allows payments to be received by any merchant connected to the network. Further, payments are posted to an intermediary account maintained on the centralized payment system and associated with an end-user account. See Specification, page 6, line 1 through page 7, line 23; and fig. 1.

The intermediate account of the present invention, when linked with an end-user account, serves as a conduit in which payment transactions may be initiated at merchant locations, and the results effected at the end-user account of the vendor. Specifically, the intermediate account provides a routing mechanism that allows for payment related details to be electronically communicated to vendor systems so that updates may be posted to end-user accounts. See Specification, page 7, line 11 through page 8, line 6; page 8 line 24 through page 11, line 24; page 12, line 17 through page 12, line 25; and figs. 2, 3, 4, and 8.

During a payment transaction, the transaction proceeds under the guise of the intermediate account (i.e., the transaction is processed using the intermediate account number). The payment processor receives the intermediate account number and transaction information

and references the association between the intermediate account and the end-user account. Using the end-user account association, the payment processor is able to communicate the payment information to the appropriate vendor information system. The ultimate result of payment transactions of the present invention is to effect some change at the end-user account, which is maintained by a vendor, not the facilitator of the payment system. Id.



## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

1. Did the Examiner err in rejecting claims 35-49 and 51-65 under the provisions of 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 6,473,500?

## **VII. ARGUMENT**

### **A. The Examiner's Position**

The Examiner rejected claims 35-49 and 51-65 of the present invention under the provisions of 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 6,473,500 ("Risafi"). In citing this rejection, the Examiner states that the Risafi reference "discloses a system and method for effecting for telephone services comprising:

- \* establishing an intermediary account having a corresponding account identifier (102, 104);

- \* associating the account identifier of the intermediary account with an end-user's prepaid account maintained by a telecommunication vendor and storing the association in a database coupled to a central payment processor, wherein the association includes information that allows the central payment processor to identify the end-user's prepaid account when presented with the account identifier (10, 100, 102, 104, 112, 110, 108, 106 of fig. 1);

- \* facilitating a payment transaction between the end-user and a point-of-sale [sic], the payment transaction comprising receiving a payment from the end-user at the point-of-sale together with the account identifier for loading values into the end-user's prepaid account (fig. 2, 5a, 6a, 7a, 7b, 8a, 8b):

\* electronically communicating data indicative of the transaction date and transmitting a response to the point-of-sale (fig. 9a) [sic];

\*in the central payment processor, validating the transaction data and transmitting a response to the point-of-sale (figs. 9b,10a); and [sic]

\*in the central processor, if the validating step results in approval of the transaction, sending a message to the telecommunication vendor for loading value into the end-user's associated prepaid account responsive to the payment transaction (col. 7, lines 19-55).” See Office Action of October 4, 2005, pages 3-4.

The Examiner continues by stating: “in regards to claims 35, 40 and 48 [sic] and the applicant’s suggestion that Risafi does not teach associating an end-user account that is provided for by a vendor with an intermediate account, the applicant’s attention is directed to col. 4, lines 17-45 (‘The method for using the prepaid card includes purchasing a card issued by an issuer, perhaps through an agent at a retail establishment via an agent terminal, selecting a PIN, selecting the opening account balance, having the card activated at the point of purchase, and, over time, using the card number transmitted over a communication network to the card processing center to be stored in an account file associated with that card number. Also transmitted and stored in the account file is the amount of value purchased. The balance remaining on the card after a purchase or purchases are made will be kept in the account file . . . Once activated, the card user can immediately use the card to make purchases . . . and the card user can replenish the value on the card at any appropriate terminal connected to the processing

center.’) also, see figs. 6a, 6b, 7a, 7b, 8a, 8b.”

See Office Action of October 4, 2005, page 5 (emphasis added).

Finally, the Examiner states “in regards to claims 35, 40 and 48 [sic] and the applicant’s suggestion that Risafi does not teach effecting a payment transaction that includes communicating with a vendor to effect a change, such as loading a value, on the end-user account, the applicant’s attention is directed to col. 7, lines 30-38 (‘Fourth, because the system includes a central processing center which communicates with many merchants and service providers, the card can be purchased and the card account reloaded at any appropriate terminal or other approved device connected to the central processing center by a network, and the card can be used to make purchases, withdraw cash, or receive services at any terminal or merchant which can connect to the central processing center (“network terminal”). Network terminals include point-of-sale (“POS”) terminals within retail establishments, ATMs affiliate with financial institutions, and terminals or other devices operated by card issuers or their authorized agents.’) also, see figs. 2, 4, and 5b.”

See Office Action of October 4, 2005, page 6 (emphasis added).

## **B. Standards for Anticipation**

The law is well-settled that an anticipation of a patent claim can only be found where the prior art reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d

775, 780-782 (Fed. Cir. 1985). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). For a prior art reference to anticipate, every element of the claimed invention must be identically shown in a single reference, and the elements in the reference must be arranged as in the claim under review. *In re Bond*, 910 F.2d 831, 832 (Fed. Cir. 1990).

**C. Risafi Does Not Anticipate Independent Claims 35, 40, and 48**

As stated above, independent claims 35, 40 and 48 recite a payment system and methods that require both an intermediary account and an end-user account. In these claims, the intermediary account is associated with at least one corresponding end-user account. The end-user account is maintained by a vendor, such as a telecommunication carrier. For example, the end-user account may be a prepaid wireless carrier account that is configured and maintained on the wireless carrier’s information system. Likewise, the end-user account may be provided for by any number of different vendors offering various services and/or products.

The intermediate account of the present invention, when linked with an end-user account, serves as a conduit in which payment transactions may be initiated at merchant locations, and the results effected at the end-user account of the vendor. Specifically, the intermediate account provides a routing mechanism that allows for payment related details to be electronically communicated to vendor systems so that updates may be posted to end-user accounts. During a payment transaction, the transaction proceeds under the guise of the intermediate account (i.e., the transaction is processed using the intermediate account number).

The payment processor receives the intermediate account number and transaction information and references the association between the intermediate account and the end-user account. Using the end-user account association, the payment processor is able to communicate the payment information to the appropriate vendor information system. The ultimate result of payment transactions of the present invention is to effect some change at the end-user account, which is maintained by a vendor, not the facilitator of the payment system.

Referring to independent claim 35, the claim recites a system that includes:

a payment processor including a database for storing a list of participating point-of-sale merchants and further including a database associating each of a plurality of intermediary account numbers with at least one corresponding end-user account number, each end-user account number associated with a corresponding vendor; and

the payment processor operable to exchange electronic messages with the point-of-sale terminal via the financial network and including means for crediting an indicia of monetary value to a corresponding intermediary account stored in a database coupled to the payment processor in response to receiving a payment message from the point-of-sale terminal, and further including interface means for communicating at least a recharge transaction to the corresponding vendor to credit a selected one of the end-user accounts associated with the corresponding intermediary account in response to crediting the corresponding intermediary account.

(emphasis added). Independent claim 40, recites a method that includes the following steps:

establishing an intermediary account having a corresponding account identifier;

associating the account identifier of the intermediary account with an end-user's prepaid account maintained by a telecommunication vendor and storing the association in a database coupled to a central payment processor, wherein the association includes information that allows the central payment processor to

identify the end-user's prepaid account when presented with the account identifier...;

in the central payment processor, if the validating step results in approval of the transaction, sending a message to the telecommunication vendor for loading value into the end-user's associated prepaid account responsive to the payment transaction.

(emphasis added). Likewise, independent claim 48 recites:

establishing an intermediary account in a database that is coupled to the payment processor, the intermediary account having a corresponding account identifier;

associating the intermediary account with an end-user account associated with a corresponding vendor...;

sending a message to the vendor for loading value into the end-user account responsive to the payment transaction.

(emphasis added). As shown in Figure 2, there is a Payment Processor 40 and Carrier PrePaid Platform 112.

Applicant respectfully argues that Risafi does not anticipate the invention of Applicant as claimed in the application. In citing Risafi, the Examiner expressly cites only claim 40 in the Office Action, see Office Action of October 4, 2005, pages 3-4, and implicitly asserts that the same arguments apply to claims 35 and 48.

Specifically, Risafi does not address the limitations at the end of claim 35 that reads “and further including interface means for communicating at least a recharge transaction to the corresponding vendor to credit a selected one of the end-user accounts associated with the corresponding intermediary account in response to crediting the corresponding intermediary

account.” More importantly, however, Risafi does not disclose the use of an intermediate account that is associated with the end-user account of a vendor.

Risafi discloses the use of a single vendor account. In Risafi, the card processing center (i.e., the Prepaid Debit Card Center illustrated in various Figures) configures an “account file” that is associated with a card number. The account file is used to store and keep track of the balance remaining on the card after a purchase. (Col 4, lines 24-28). Unlike the intermediary account and end-user accounts claimed in the present invention, Risafi describes only one account that is activated for keeping track of transactions made by the card holder. Referring to Figure 2, for example, Risafi recites that the balance in the account file is decreased when purchases are made (box 250) and when cash is withdrawn (box 260). The same account file is increased when value is added (box 270). (Col. 10, lines 41-59). Moreover, with regard to Figure 4, Risafi describes that the Card File 406 “keeps track of the cards that are in use. . . and are still open, how much value is in each card account, and the PIN for that card.” (Col. 10, lines 52-57).

In the Office Action, the Examiner cites to specific parts of Risafi. Applicant has reviewed these citations and respectfully submits that the citations do not support anticipation of the present invention. For example, on page 3 of the Office Action, the Examiner cites 102 and 104 for “establishing an intermediary account having a corresponding account identifier.” A review of these two items, however, show that 102 is the card issuer and 104 is the sales agent. These two elements of Risafi do not disclose the establishing of an intermediary account having a corresponding account identifier.



the present invention. For example, on page 3 of the Office Action, the Examiner cites 102 and 104 for “establishing an intermediary account having a corresponding account identifier.” A review of these two items, however, show that 102 is the card issuer and 104 is the sales agent. These two elements of Risafi do not disclose the establishing of an intermediary account having a corresponding account identifier.

Second, on page 3 and 4 of the Office Action, with respect to “associating the account identifier of the intermediary account with an end-user’s prepaid account maintained by a telecommunication vendor and storing the association in a database coupled to a central payment processor, wherein the association includes information that allows the central payment processor to identify the end-user’s prepaid account when presented with the account identifier,” the Examiner cites “10, 100, 102, 104, 112, 110, 108, 106 of fig. 1.” In the Specification of Risafi, Fig. 1 is described as “a diagram of the components of a system for using a prepaid card.” Risafi, col. 4, lines 25-26. Fig. 1 does not disclose associating the account identifier of an intermediary account with an end-user’s account with a telecommunication vendor. Rather Fig. 1 discloses a block diagram that labels the foregoing figure numbers with the following items: 10 (card user), 100 (card), 102 (issuer), 104 (agent), 106 (terminal), 110 (prepaid card process center) with logical connections 112 (between the issuer and the prepaid card process center) and 108 (between prepaid process center and the terminal). There is nothing in Fig. 1 regarding the association of an intermediary account with an end-user account.

“The system and method of the present invention have several advantages over the prior art systems using prepaid cards. First, because the card is not shipped to the agent with a PIN and value pre-stored on the card ready for use, the card can be purchased by the card user in any denomination allowed by the issuer. Second, when purchasing the card, the card user can select a PIN that is easily remembered and can change that PIN after the initial account activation. Third, because the cards are not activated before they are shipped, there is no danger of employee theft or of someone intercepting the shipment and using the monetary value associated with the card. Fourth, because the system includes a central processing center which communicates with many merchants and service providers, the card can be purchased and the card account reloaded at any appropriate terminal or other approved device connected to the central processing center by a network, and the card can be used to make purchases, withdraw cash, or receive services at any terminal or merchant which can connect to the central processing center (“network terminal”). Network terminals include point-of-sale (“POS”) terminals within retail establishments, ATMs affiliated with financial institutions, and terminals or other devices operated by card issuers or their authorized agents. Thus, the card is well suited for many specific market needs including use while traveling at home or abroad. Fifth, because the card is reloadable, there is no need to worry about not having enough value on the card or being inconvenienced by having to acquire a new card when the balance in the account is depleted. Finally, use of the card is immediate, much like a cash card. However, unlike a cash card, the cash value does not actually reside on the card, but is recorded in the card processing center database connected to the network terminals. Thus the card is more secure than a cash card because a PIN or verified signature may be required in order to use it. If the card user loses the card, not only can the card not be used by anyone else, but the card user may be able to recover the value on the card.”

Risafi, col. 7, lines 19-55. This cited passage does not include a disclosure of “in the central processor, if the validating step results in approval of the transaction, sending a message to the vendor for loading value into the end-user account responsive to the payment transaction.” It discusses the advantages of the Risafi system and not the particular claim limitations of claims 35, 40, and 48 at issue in this appeal. More importantly, Risafi does not disclose the use of an intermediary account that is associated with an end-user account as set forth in claims 35, 40, and 48. Risafi only discloses the use of one account at the card processing center database.

In the next citation on page 5 of the Office Action, The Examiner cites a different passage of Risafi as teaching associating an end-user account that is provided for a vendor with an intermediate account:

“The method for using the prepaid card includes purchasing a card issued by an issuer, perhaps through an agent at a retail establishment via an agent terminal, selecting a PIN, selecting the opening account balance, having the card activated at the point of purchase, and, over time, using the card to purchase goods and/or services. The PIN and the card number are transmitted over a communications network to the card processing center to be stored in an account file associated with that card number. Also transmitted and stored in the account file is the amount of value purchased. The balance remaining on the card after a purchase or purchases are made will be kept in the account file. . . . Once activated, the card user can immediately use the card to make purchases . . . and the card user can replenish the value on the card at any appropriate terminal connected to the processing center.”

Id., col. 4, lines 17-45. This passage, however, does not teach associating an intermediary account number with an end-user account with a vendor. Rather, this passage discusses the single end-user account that is discussed throughout Risafi, namely, the single end-user account at the prepaid card processing center 110 or the prepaid debit card center 404. The only account that is discussed in Risafi is the one at the central processor. Each of Figures 4, 5b, 6a, 6b, 7a, and 7b show a prepaid debit card center (404) with a card & account file (406). There is no mention of an account other than the end-user account, and there is no mention of an intermediary account that is associated with the end-user account. Accordingly, Risafi does not disclose the limitations of the present invention related to the intermediary account and the association of the intermediary account with the end-user account.

By way of example, Figure 9b of Risafi illustrates a process of using a prepaid telephone card. Rather than the TELCO maintaining an end-user account as would be the case with the present invention, at block 928, Risafi describes the TELCO communicating with the card processing center to verify that the card number it has been provided and the PIN are valid. (Col. 16, lines 41-43). From the card processing center, the TELCO retrieves how much value remains in the card account and determines how much phone time remains in the card account. (Col. 16, lines 44-49).

In short, Risafi fails to disclose, teach, or suggest various limitations recited by independent claims 35, 40, and 48 of the present invention. More particularly, Risafi does not teach or suggest associating an end-user account that is provided for by a vendor with an intermediate account. Moreover, Risafi does not teach or suggest “if the validating step results in approval of the transaction, crediting an indicia of monetary value to the corresponding intermediary account in response to the payment transaction and sending a message to the vendor for loading value into the end-user account responsive to the payment transaction.” Risafi cannot teach the foregoing limitation because Risafi teaches only one account that is provided for by the card processing center and stored as an account file.

To further explain the differences between the claimed invention and Risafi, Applicant has attached a diagram, a copy of which is provided in the Evidence Appendix, to further illustrate the differences between Risafi and the present application with respect to the claim limitations related to the association of an intermediary account with the end-user account. This diagram is based on Figure 4 of the Risafi and Figure 9 of the present application. The diagram

provided in the Evidence Appendix includes claim language from independent claim 35, and notes the use of an intermediary account that is associated with an end-user account in the inventions claimed in the present application. The diagram provided in the Evidence Appendix is not intended to be exhaustive of all the claim limitations in the present application that are not disclosed in Risafi. As can be seen from the diagram, Risafi does not disclose the use of both an intermediary account and an end-user account or the association of such accounts.

**D. Dependent Claims 36-39, 41-47, 49, and 51-65**

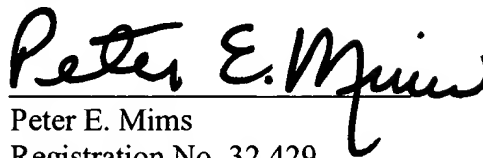
Since the §102(e) rejection of independent claims 35, 40, and 48 is erroneous, the §102(e) rejection of the outstanding dependent claims is erroneous as a matter of law. *Hartness Int'l., Inc. v. Simplimatic Engr. Co.*, 819 Fed.2d 1100, 1107 (Fed. Cir. 1987); *In re: Fine*, 837, Fed.2d 1071, 1075 (Fed. Cir. 1988).

## VIII. CONCLUSION

The Examiner's erroneous final rejection of claims 35-49 and 51-65 under 35 U.S.C. §102(e) must be reversed, and such action is respectfully requested.

Date: 8/28/2006

Respectfully submitted,



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## **IX. CLAIMS APPENDIX**

Claim 35. A system for effecting electronic payment for goods or services comprising:

a terminal located at a point-of-sale where monetary consideration is received from or on behalf of an end-user to pre-pay for selected goods or services, the terminal operable to exchange electronic messages with a financial network;

a financial network operable to exchange electronic messages with the point-of-sale terminal;

a payment processor including a database for storing a list of participating point-of-sale merchants and further including a database associating each of a plurality of intermediary account numbers with at least one corresponding end-user account number, each end-user account number associated with a corresponding vendor; and

the payment processor operable to exchange electronic messages with the point-of-sale terminal via the financial network and including means for crediting an indicia of monetary value to a corresponding intermediary account stored in a database coupled to the payment processor in response to receiving a payment message from the point-of-sale terminal, and further including interface means for communicating at least a recharge transaction to the corresponding vendor to credit a selected one of the end-user accounts

associated with the corresponding intermediary account in response to crediting the corresponding intermediary account.

Claim 36. A system according to claim 35 wherein the point-of-sale terminal comprises an automated teller machine (ATM).

Claim 37. A system according to claim 35 wherein the point-of-sale terminal comprises a vending machine.

Claim 38. A system according to claim 35 wherein the financial network comprises a card association network.

Claim 39. A system according to claim 35 and further comprising an acquiring processor for communicating messages between the financial network and a plurality of such terminals.

Claim 40. A method for effecting payment for telephone services comprising:

establishing an intermediary account having a corresponding account identifier;



associating the account identifier of the intermediary account with an end-user's prepaid account maintained by a telecommunication vendor and storing the association in a database coupled to a central payment processor, wherein the association includes information that allows the central payment processor to identify the end-user's prepaid account when presented with the account identifier;

facilitating a payment transaction between the end-user and a point-of-sale, the payment transaction comprising receiving a payment from the end-user at the point-of-sale together with the account identifier for loading value into the end-user's prepaid account;

electronically communicating data indicative of the transaction from the point-of-sale to the central payment processor;

in the central payment processor, validating the transaction data and transmitting a response to the point-of-sale; and

in the central payment processor, if the validating step results in approval of the transaction, sending a message to the telecommunication vendor for loading value into the end-user's associated prepaid account responsive to the payment transaction.

Claim 41. A method according to claim 40 wherein said communicating step comprises direct communication between the point-of-sale and the central payment processor.

Claim 42. A method according to claim 40 wherein said communicating step comprises communication between the point-of-sale and the central payment processor via a merchant hub.

Claim 43. A method according to claim 40 and further comprising designating an intermediary bank account and collecting an amount of money equal to the payment amount, subject to adjustment, from the point-of-sale merchant's bank account into the intermediary bank account by electronic funds transfer.

Claim 44. A method according to claim 43 wherein said collecting step is carried out in a batch mode on a daily basis.

Claim 45. A method according to claim 43 wherein said collecting step is effecting via the ACH.

Claim 46. A method according to claim 43 wherein the telecommunications vendor is a prepaid platform operator.

Claim 47. A method according to claim 43 and further comprising settling the transaction by transferring an amount of money equal to the payment amount, subject to adjustment, from the intermediary bank account into the telecommunications vendor's bank account by electronic funds transfer.

Claim 48. A method for effecting payment for goods or services comprising:

providing a centralized payment processor;

establishing an intermediary account in a database that is coupled to the payment processor, the intermediary account having a corresponding account identifier;

associating the intermediary account with an end-user account associated with a corresponding vendor;

conducting a payment transaction comprising receiving a payment together with the account identifier from the end-user at a point-of-sale;

communicating data indicative of the payment transaction from the point-of-sale to the centralized payment processor via a financial network;

in the payment processor, validating the payment transaction data and transmitting a response to the point-of-sale, said response including an indication of approval if the validating step results in approval of the transaction;

in the payment processor, if the validating step results in approval of the transaction, crediting an indicia of monetary value to the corresponding intermediary account in response to the payment transaction; and

sending a message to the vendor for loading value into the end-user account responsive to the payment transaction.

Claim 49. A method according to claim 48 and further comprising issuing a card to the end-user that includes identification of the end-user's intermediary account.

Claim 51. A method according to 48 wherein the end-user account is a pre-paid cellular phone account.

Claim 52. A method according to claim 48 wherein the end-user's account has an account number corresponding to a valid credit card account number.

Claim 53. A method according to claim 52 wherein the valid credit card account number can be presented by the end-user to purchase goods and services.

Claim 54. A method according to claim 48 and further comprising designating an intermediary bank account and collecting an amount of money equal to the payment amount, subject to adjustment, from the point-of-sale merchant's bank account into the intermediary bank account by electronic funds transfer.

Claim 55. A method according to claim 54 and further comprising settling the payment transaction by transferring an amount of money equal to the payment amount, subject to adjustment, from the intermediary bank account into the vendor's bank account by electronic funds transfer.

Claim 56. A method according to claim 53 wherein the user presents the credit card account number via the Internet, thereby enabling an anonymous purchase of goods or services via the

Internet by first making a payment in person at a point-of-sale to load value into the corresponding intermediate account.

Claim 57. A system for effecting electronic payment according to claim 35 wherein the end-user's account has an account number corresponding to a valid credit card account number.

Claim 58. A system for effecting electronic payment according to claim 35 wherein the end-user's account has an account number corresponding to a valid credit card account number to facilitate electronic messaging over existing credit card association networks.

Claim 59. A method for effecting payment according to claim 40 wherein said receiving a payment from the end-user at the point-of-sale includes receiving the payment in the form of cash.

Claim 60. A method for effecting payment according to claim 40 wherein said receiving a payment from the end-user at the point-of-sale includes receiving the payment as a debit card transaction.

Claim 61. A method for effecting payment according to claim 40 wherein said receiving a payment from the end-user at the point-of-sale includes receiving the payment as a credit card transaction.

Claim 62. A method for effecting payment according to claim 40 wherein the point-of-sale is a vending machine.

Claim 63. A method for effecting payment according to claim 40 wherein the point-of-sale is a brick-and-mortar retail merchant site.

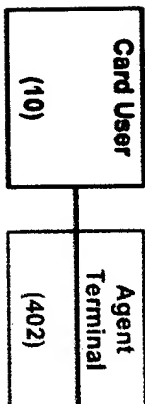
Claim 64. A method for effecting payment according to claim 40 wherein the point-of-sale is an automated teller machine (ATM).

Claim 65. A method for effecting payment according to claim 40 wherein said electronically communicating data includes interaction with an IVR system via telecommunications.

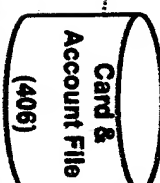
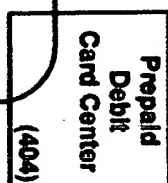
## **X. EVIDENCE APPENDIX**

The diagram provided in this Appendix was provided to the Examiner in the Applicant's Response to Office Action dated October 4, 2005 and was entered by the Examiner in the Examiner's Advisory Action dated April 20, 2006.



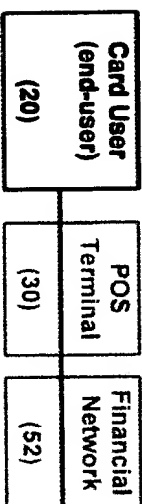


Card #, PIN, \$ Value

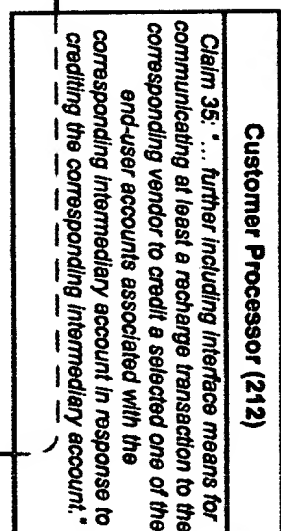
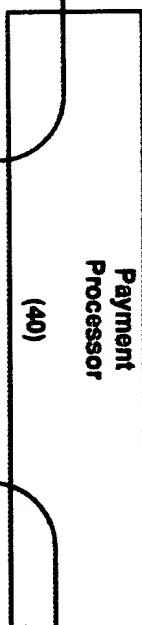


Note: There is one and only one account used in Risaff. The card number that is presented to the agent is the same card number stored in this card file with the account balance.

### Present Application

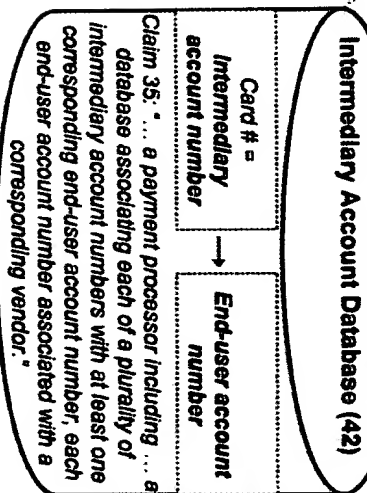


There are two accounts used in the present application. The first account is the intermediary account stored in the Intermediary Account Database (42)

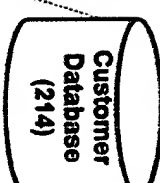


Col 5, Line 34: "...the processor 40 then provides a load notification signal to the carrier prepaid platform. This load notification identifies the end-user account that corresponds to (having been previously associated with) the intermediary account number presented by the card user at the point-of-sale"

The second account is the end-user account number stored in the Customer Database (214) with the account balance.



Claim 35: "... a payment processor including ... a database associating each of a plurality of intermediary account numbers with at least one corresponding end-user account number, each end-user account number associated with a corresponding vendor."



## **XI. RELATED PROCEEDINGS APPENDIX**

None